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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/022,959	12/18/2001	John William Artley	7183		
7590 07/25/2005			EXAM	EXAMINER	
Steven L. Schmid			BOYD, JENNIFER A		
1257 Donald Sts Jacksonville, Fl			ART UNIT	PAPER NUMBER	
·			1771		
			DATE MAILED: 07/25/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary 10/022,959		Application No.	Applicant(s)					
Jannifer A. Boyd 1771 17	Office Action Commons	10/022,959	ARTLEY ET AL.					
Preiod for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edutations of time maje be available useful to growther and 3° CFR 1.13(s). In an event, however, may a reply be timely filled by the period for reply a peculiar busines to the time the series of the period for reply a peculiar busines to the time the time that the period for reply a peculiar double, the maximum adultably period will genip set (6) MONTH'S from the making date of this communication for reply within the satisfactory minimum of thinly (30) days will be considered simely. **END period for reply apeculiar debugs, the maximum adultable period will genip sept and will genip set (6) MONTH'S from the making date of this communication. **Fallule to reply within the set or extended period for reply will, by adulting date of this communication, seen if timely filled, may refuse any extended plant term adjustment. See 3° CFR 1.704(b). **Status** 1)② Responsive to communication(s) filled on 65 May 2005. 2a) ☐ This action is FINAL. 2b) ☑ This action is FINAL. 2b) ☑ This action is FINAL. 2b) ☑ This action is filled. 2a) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) is/are pending in the application. 4) ☑ Claim(s) is/are allowed. 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are allowed. 7) ☐ Claim(s) is/are allowed. 8) ☐ Claim(s) is/are allowed. 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner. 10) ☐ The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner. 10) ☐ The drawing(s) filled on is/are: a) accepted or b) objected to .See 37 CFR 1.	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ■ Ederations of them may be available under the provisions of 37 CFR 1.35(c), in no event, however, may a reply be limitly filed ■ Ederation of them may be available under the provisions of 37 CFR 1.35(c), in no event, however, may a reply be limitly filed ■ Ederation of them may be available under the provisions of 37 CFR 1.35(c), in no event, however, may a reply be limitly filed ■ The printed for reply selected above, the maximum distatory parties will apply and will neight SIX (6) MONTHS from the mailing date of the common distance of the								
THE MAILING DATE OF THIS COMMUNICATION. Edeniusors of time may be variable under the provisions of 37 CFR 1.15(6). In ne event, however, may a reply be timely flied after 50 K (9) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statistory paried within the statutory minimum of thinty (30) days will be considered simely. If NO period for reply is specified above, the maximum statistory paried will apply and will explice (9) (8) MONTHS from the mailing date of this communication. Fallure to reply within the set of extended period for reply will, by statute, cause the application to become ARANDONED (30 U.S. C; § 135). Any reply received by the Office in the Thin the time monitor after the mailing date of this communication, even if timely filled, may reduce any example that the mailing date of this communication, even if timely filled, may reduce any example that the mailing date of this communication. 1) Responsive to communication(s) filled on 05 May 2005. 2a) This action is FINAL. 2b) This action is renormal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1 is/are allowed. 6) Claim(s) 1 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) may be explicated to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The drawing(s) filed on is objected to by the Examiner. Note the drawing(s) filed on provide or communication is objected to by the Examiner. Applicant may not request that any objection to the dra		ears on the cover sheet with the c	orrespondence address					
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DETAILED ACTION

Page 2

Response to Amendment

- 1. The Applicant's Amendments and Accompanying Remarks, filed May 5, 2005, have been entered and have been carefully considered. Claim 1 is pending. In view of Applicant's Terminal Disclaimer over copending application 11/005083 and the Declaration under 37 CFR 1.131, the Examiner withdraws all previously set forth rejections as detailed in Office Action dated March 17, 2005. After another search was conducted, additional prior art has been found which renders in the invention as currently claimed unpatentable for reasons herein below.
- 2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Offord et al. (US 6,617,268).

Offord is directed to methods for the treatment of cellulose-containing fibers and yarn (Abstract).

As to claim 1, Offord teaches exposing a fabric to an aqueous solution of an enzymerepelling chemical such as polyethylene glycol (column 2, lines 15 - 60). The process takes place at a temperature range from about 5 - 185 degrees Celsius and most preferably at room temperature. The fabric is dried at an ambient temperature or at a temperature above ambient up to about 210 degrees Celsius (column 3, lines 1 - 20). The pH of the solution should kept at

Art Unit: 1771

neutral to basic (column 20 - 30). Offord teaches that salts may be added to increase the rate of adsorption of anionic and cationic polymers onto the cellulose-containing fibers (column 3, lines 20 - 30).

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claim1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Urben (US 5,562,739).

Urben is directed to a lyocell fiber treatment method (Title).

Urben teaches that a woven or knitted fabric comprising lyocell fiber (column 2, lines 30 – 35) is initially dried or washed and not dried prior to the application of a solution (column 2, 28 – 36). The Examiner equates the woven or knitted fabric to Applicant's "substrate". Urben teaches that a solution comprising a chemical reagent (column 2, lines 37 – 44), an acid catalyst (column 2, lines 45 – 50) and a flexible linear polymer may be applied to the lyocell fabric (column 2, lines 59 – 67). It is known that the application of a solution to a substrate would result in a wet substrate because a solution inherently contains water or a liquid substance. Urben teaches that the flexible linear polymer may be polyethylene glycol (column 3, lines 8 – 11). The Examiner equates the solution comprising a chemical reagent, acid catalyst and PEG to Applicant's "polyethylene glycol formulation" and equates the step to "exposing a substrate to a

Art Unit: 1771

polyethylene glycol formulation to form a wet substrate". Urben teaches that the fabric may dried and then cured (column 3, lines 42 – 47); the Examiner equates this step to Applicant's "drying and curing the wet substrate to form a treated substrate". Urben teaches that the curing reaction may occur at ambient temperature or preferably it may be carried out at elevated temperature by heating the fiber. The temperature range of the curing step may generally be in the range of 105 – 170 degrees Celsius (column 3, lines 35 – 50). It should be noted that Applicant claims that the surface temperature cannot exceed "about 220 degrees F". Urben teaches that the curing step can occur at room temperature but additionally indicates that the curing step may generally occur at 105 degrees Celsius. It should be noted that 105 degrees Celsius is equivalent to 221 degrees F, which the Examiner submits is "about" 220 degrees F. Urben teaches that the fabric is then washed and dried. Urben notes that the washing removes catalyst and unreacted reagent and permits the pH of the dried fiber or fabric to be controlled at a desired value, for example around neutral pH (column 3, lines 52 – 55). The Examiner equates the step to "neutralizing the treated substrate" and "drying the neutralized substrate.

Alternatively, Urben teaches the claimed invention but fails to teach that the temperature does not exceed about 220 degrees F. It should be noted that the heating and curing temperature is a result effective variable. For example, as the heating/curing temperature decreases, less energy is required to create the final product. As the heating/curing temperature increases, the product is dried and cured more quickly. It would have been obvious to one having ordinary skill in the art at the time the invention was made to create a PEG resin treated fabric wherein the heating and curing step does not exceed about 220 degrees F since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art.

Application/Control Number: 10/022,959

Art Unit: 1771

In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980). In the present invention, one would

have been motivated to optimize the temperature in order to create an efficiently produced cured

PEG resin treated substrate.

Response to Arguments

6. Applicant's arguments with respect to claim 1 has been considered but are moot in view

of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jennifer A. Boyd whose telephone number is 571-272-1473. The

examiner can normally be reached on Monday thru Friday (8:30am - 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Boyd

July 14, 2005

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Page 5

Primary Examiner Tech Center 1700